

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GLENN BEECHER, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )         No. 4:07CV331 TIA  
                        )  
MICHAEL J. ASTRUE, Commissioner )  
of Social Security,     )  
                        )  
Defendant.          )

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Application for Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties consented to the jurisdiction of undersigned pursuant to 28 U.S.C. § 636(c).

On July 5, 2007, the undersigned remanded plaintiff's case to the Commissioner for further proceedings. Plaintiff now seeks an attorney's fee award in the amount of \$1,238.32, which represents 7.9 attorney hours at \$156.75 per hour. In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. Kelly v. Bowen, 862 F.2d 1333 (8th Cir. 1988). The EAJA also authorizes the award of "costs." 28 U.S.C. § 2412(a)(1), (d)(1)(a).

In the instant case, defendant has filed a response stating that it has no objection to plaintiff's request. The undersigned thus finds that plaintiff is entitled to attorney's fees in the amount of \$1,238.32 and directs the Commissioner to issue a check in the amount of \$1,238.32 made payable to Jeffrey Bunten. See Ratliff v. Astrue, 540 F.3d 800, 802 (8th Cir. 2008) (attorney fee award can be paid directly to plaintiff's counsel). Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (Docket No. 20) is **GRANTED**. Jeffrey Bunten, plaintiff's counsel, shall be awarded attorney fees in the amount of \$1,238.32.

Dated this 30th day of July, 2009.

/s/ Terry L Adelman

UNITED STATES MAGISTRATE JUDGE